IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO.6912 OF 2005

In

CRIMINAL APPEAL NO.942 OF 2005

Mansoor Alam Samid Ansari : Applicant

(Orig.Accused)

V/s.

The State of Maharashtra : Respondent

...

Ms Jyoti Singh for the applicant.

Mr.D.R.More, Addl. Public Prosecutor for the State.

...

CORAM : D.G.DESHPANDE & S.A.BOBDE,JJ.

DATE : JUNE 19, 2006.

P.C.

1. Heard the learned Advocate for the applicant and the learned Addl. Public Prosecutor for the State.

2. This is an application for bail. The accused was convicted under section 302 of the Indian Penal Code for murdering his own wife. There are three dying declarations. All of them are consistent. Further, the accused was absconding. The murder was committed at midnight. The accused has tried to prove that he was

elsewhere at that time which was rejected for want of convincing and satisfactory evidence. The only contention raised is that if the deceased was burnt to the extent of 90%, how she could remain alive and unattended upto 9.30 a.m. That cannot be a circumstance because the trial Court found that the victim was alive when the dying declarations were recorded. There are no grounds for granting bail. The application for bail is rejected.

3. The prayer for expediting the hearing of the appeal will be considered if the appellant prepares the paper-book at his own costs.

D.G. DESHPANDE, J.

S.A. BOBDE, J.